

REMARKS

In the application claims 6-9; 11, and 15-19 remain pending. Claims 1-5, 10, 12-14, 20-32 have been canceled without prejudice. The claims have been amended to clarify what is regarded as the invention. Support for the claims may be found in the application and figures as originally filed. No new matter has been added.

It is respectfully submitted that the claims as now presented are allowable over the art of record. In this regard, the claimed invention is distinguishable over both Lord (U.S. Patent No. 6,593,976) and Johnson (cited EP-0366001) each of which discloses an appliance that is required to be pre-equipped with specialized hardware and software to recognize a specific command transmitted by a remote control (e.g., the “timer” command as disclosed within Johnson) to perform a specific “remember” or “return to channel” operation. On the other hand, the claimed invention eliminates this requirement and allows any media playing device, even those without the pre-equipped, specialized hardware and software, to have a return to channel feature. Since the invention claimed is contrary to the expectations of both Lord and Johnson, it is respectfully submitted that the invention claimed cannot be said to be anticipated by or rendered obvious by either of these references. For at least this reason it is respectfully submitted that the claims are allowable.

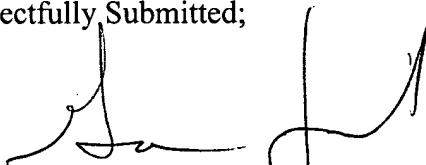
As concerns Lord, Lord operates on the principle of using the reappearance of content on a channel being received by a media playing device, as monitored by the Lord “fingerprint compare unit,” to cause a return to a displaying of the content playing on that channel. Lord thus requires consideration of the current state of media being received by the media playing device. Since the claimed invention is distinct from Lord for at least this reason, it is respectfully submitted that the claims are allowable over Lord.

As concerns Johnson, Johnson operates on the principle of a timer embedded within the media playing device itself. In Johnson, when the timer expires the channel memory is addressed and a comparison is made to determine if the receiver is currently receiving the media that the receiver was receiving when the timer key was pressed. If the receiver is receiving the same media then no action is performed. If the receiver is receiving different media the receiver is caused to tune to the media previously being received when the timer key was pressed. (Col. 5, lines 2-34). Accordingly, Johnson, like Lord, requires consideration of a current state of media be received by the media playing device, i.e., regard is given to whether or not the state of the media currently being received by the media playing device is the same as the media previously being received by the media playing device. Since the claimed invention is distinct from Johnson for at least this reason, it is respectfully submitted that the claims are allowable over Johnson.

CONCLUSION

It is respectfully submitted that the application is in good and proper form for allowance. Such action of the part of the Examiner is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned.

Respectfully Submitted;



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Date: August 24, 2005